

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DISTRICT COUNCIL 16 NORTHERN
CALIFORNIA HEALTH AND WELFARE
TRUST FUND, et al.,

Plaintiffs,

v.

HERRON PAINTING CO., et al.,

Defendants.

Case No. [23-cv-00458-TSH](#)

ORDER RE: ENTRY OF DEFAULT

On April 19, 2024, the Court granted Littler Mendelson, P.C.'s motion to withdraw as counsel for Defendants Herron Painting Co., a California Partnership, Defendant Kevin Herron individually and doing business as Herron Painting Co. (a sole proprietorship), Defendant Herron Painting, Inc., a FTB Suspended California Corporation, and Defendant Dora Herron. ECF No. 41. Because corporations may not appear in federal court except by counsel, the Court granted Defendants until May 17 to find substitute counsel for the corporate entities. As Defendants made no subsequent appearance, the Court extended the deadline to find substitute counsel to June 7, 2024. ECF No. 45. The Court reminded Defendants that failure to retain substitute counsel could result in the entry of default judgment against them. As Defendants have still made no appearance, entry of default is appropriate. *See Emp. Painters' Trust v. Ethan Enters., Inc.*, 480 F.3d 993, 998 (9th Cir. 2007); *United States v. High Country Broad. Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). Accordingly, the Court **ORDERS** Plaintiffs to file a request for entry of default as to the corporate defendants pursuant to this order by June 24, 2024.

The Court shall conduct a further case management conference on July 18, 2024 at 10:00 a.m. by Zoom video conference. The webinar link and instructions are located at

1 <https://cand.uscourts.gov/judges/hixson-thomas-s-tsh/>. By July 11, 2024, the parties shall file an
2 updated Joint Case Management Statement containing the information in the Standing Order for
3 All Judges in the Northern District of California, available at: <http://cand.uscourts.gov/tshorders>.
4 The Joint Case Management Statement form may be obtained at:
5 <http://cand.uscourts.gov/civilforms>.

6 **IT IS SO ORDERED.**

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8 Dated: June 10, 2024

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10 THOMAS S. HIXSON
11 United States Magistrate Judge
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Northern District of California